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 as subrogee of Traci Marx and Raymond Marx

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HOMESITE INSURANCE COMPANY)
 as subrogee of Traci Marx and Raymond)
 Marx,)
 Plaintiff,)

v.)

NORCOLD, INC., NORCOLD, LLC,)
 THETFORD CORPORATION, THETFORD,)
 LLC, CAMPING WORLD OF)
 HENDERSON, CAMPING WORLD, INC.,)
 CWI, Inc. and DOES 1 through 50, Inclusive,)
 Defendants.)

TRACI MARX, RAY MARX, ALYSSA)
 DILLARD and SETH DILLARD,)

v.)

NORCOLD, INC., NORCOLD, LLC,)
 THETFORD CORPORATION, THETFORD)
 LLC, THE DYSON-KISSNER-MORAN)
 CORPORATION, CAMPING WORLD)
 HOLDINGS, INC., CAMPING WORLD,)
 INC., CWI, INC., CAMPING WORLD OF)
 HENDERSON, and DOES 1 to 50, inclusive,)
 and ROE ENTITIES 1 to 50,)
 inclusive)

Case No.: 2:21-cv-02167-RFB-DJA
 (Consolidated with Case No. 2:22-cv-00085-
 JCM-EJY)

**JOINT REQUEST TO EXTEND
 DISPOSITIVE MOTION DEADLINE
 (Sixth Request)**

**AS AMENDED ON
 PAGE 3**

Pursuant to LR 6-1 and LR 26-3, Plaintiffs and Defendants, by and through their respective counsel of record, hereby respectfully request that this Court further extend the dispositive motion deadline contemplated by Scheduling Order currently in place.

Background

The parties have completed all fact and expert depositions in this matter except for two key depositions: the expert deposition of defendants Norcold's, Thetford's and DKM's fire investigator Christopher Bloom and the deposition of the Norcold Rule 30(b)(6) witness. The depositions of Mr. Bloom and the Norcold Rule 30(b)(6) witness were scheduled for the week of July 8th. However, counsel for defendants Norcold, Thetford, and DKM, based in Houston, Texas, had to cancel the depositions due to the power outages caused by Hurricane Beryl. The parties were able to reschedule Mr. Bloom's deposition to August 7, 2024. That deposition proceeded but has not been completed.

In addition, the Norcold Rule 30(b)(6) deposition has not been rescheduled as of yet. Subsequent to Hurricane Beryl, Norcold's prospective corporate witness left the company, which has required Norcold to search for a new corporate representative for purposes of the Rule 30(b)(6) deposition. Norcold is working diligently to select a new corporate representative. Furthermore, the parties have been meeting and conferring on dates for these key depositions in an effort to accommodate any scheduling conflicts and hope to have them set shortly.

Based on the foregoing, the parties respectfully request an extension of the dispositive motion deadline currently set for August 14, 2024 to October 30, 2024 to allow the parties to complete the key depositions of defendants' fire origin and cause investigator and the Norcold Rule 30(b)(6) witness. The testimony sought by these depositions is necessary to support or oppose some of the dispositive motions contemplated by the parties.

Why Remaining Discovery Has Not Yet Been Completed

Good cause exists for the instant request for extension pursuant to Local Rule 26-3. This request for an extension of time is not sought for any improper purpose or for the purpose of

1 delay. Rather, it is sought for the purpose of allowing the parties sufficient time to finish
2 discovery and adequately prepare for dispositive motions and trial.

3 Accordingly, the parties request a further modification and extension of the dispositive
4 motion deadline to allow for the opportunity to complete the necessary depositions, so that
5 discovery and trial preparation can proceed smoothly for the benefit of all parties.

6 **Extension of Modification of the Discovery Plan and Scheduling Order**

7 This is the sixth request for extension of time in this matter. The parties did not file a
8 request to extend the dispositive motions filing deadline sooner because they believed, in good
9 faith, that they would be able to complete the remaining expert and fact depositions in a timely
10 manner. However, the parties have been unable to do so due to the disruption caused by
11 Hurricane Beryl, the unexpected departure of Norcold's prospective corporate representative,
12 and the resulting scheduling issues. The parties respectfully submit that the reasons set forth
13 above constitute compelling reasons for the extension of the dispositive motion deadline. The
14 following is a list of the current discovery deadlines and the parties' proposed extended
15 deadlines:
16

17	Scheduled Event	Current Deadline	New Deadline
18	Fact Discovery	July 15, 2024	completed
19			September 30, 2024
20	Expert Discovery	July 15, 2024	completed except for the
21			deposition of expert witness Chris
22			Bloom
23	Mediation Completion Date	Tuesday, February 13, 2024	completed
24	Dispositive Motions	August 14, 2024	October 30, 2024
25	Joint Pretrial Order	September 13, 2024	November 29, 2024

26 WHEREFORE, the parties respectfully request that the Court extend the dispositive
27 motion deadline in accordance with the table above.
28

1 Dated: April 9, 2024

GROTEFELD HOFFMANN LLP

2
3 /s/ Lilla Shkolnikov
4 LILLA SHKOLNIKOV
5 Attorneys for Plaintiff
6 Homesite Insurance Company

7 Dated: April 9, 2024

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Dated: August 12, 2024

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CORPORATION*

ORDER

Given the parties' explanation that they need to conduct certain depositions after the deadline, the Court also extends the parties' discovery period for the purpose of this deposition. The Court thus GRANTS IN PART AND DENIES IN PART the parties' stipulation (ECF No. 154) as outlined in the parties' stipulation.

DATED: 8/14/2024

A handwritten signature in blue ink, appearing to read 'D. Albrechts', is written over a horizontal line.

DANIEL J. ALBRECHTS
UNITED STATES MAGISTRATE JUDGE